

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on April 4, 1989, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
Barbara C. Wormser, Mayor Pro Tem
Charles G. DeMirjyn, Councilmember
William E. Cunningham, Councilmember
Swen Larson, Councilmember

John E. Holmes, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Sheryl Oring, Redlands Daily Facts
Pamela Fitzsimmons, The Sun

ABSENT

None

The meeting was opened with an invocation by Mayor Pro Tem Wormser followed by the pledge of allegiance.

Minutes of the adjourned meetings of March 16, 1989, and March 28, 1989, were approved as submitted and the minutes of the regular meeting of March 21, 1989, were approved as amended.

Bills and salaries were ordered paid as approved by the Finance Committee.

Councilmembers extended their best wishes to Sheryl Oring who is leaving the Redlands Daily Facts at the end of the week to work for the Riverside Press Enterprise. Ms. Oring was commended for her coverage of City business in that it was always thorough, conscientious, fair, and accurate.

PLANNING AND COMMUNITY DEVELOPMENTPlanning Commission Actions - March 28, 1989

On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, the report of the last Planning Commission meeting was unanimously acknowledged as received.

Conditional Use Permit No. 522 - Richard Bartlett

The application for a professional office for property located at 30 South Center Street, A-P Zone, was denied by the Planning Commission on March 28, 1989, by a tie vote. Councilmember Larson moved that the City Council initiate an appeal process for this application and schedule a public hearing. Motion seconded by Councilmember Cunningham and carried unanimously.

Agricultural Preserve Removal No. 75 - F. F. Elahl Associates

An application to remove an 8.63 acre parcel of land located on the northwest corner of Wabash and Fifth Avenues from the Agricultural Preserve was presented at this time. The applicant intends to develop the grove in a residential use; residential development occurs north and west of the project site. The Executive Committee of the Open Space Committee voted unanimously to recommend against the removal of the parcel from the Agricultural Preserve. In staff's opinion the site meets the necessary criteria for removal from the preserve boundary as established by Resolution No. 3649.

Representing the Executive Committee of the Open Space Committee, Chuck Roy explained their decision was based on the potential removal of the citrus grove and the demise of the Agricultural Preserve was adverse to the concepts of the Open Space Committee. City Engineer Ron Mutter also expressed concerns about access onto Fifth Avenue. Councilmembers noted they had originally voted to keep this parcel as a ball field for the adjacent church which in turn was open space and expressed their disappointment to see the property for sale. No action was taken on Resolution No. 4495, a resolution of the City Council amending the Agricultural Preserve Boundaries and effecting Agricultural Preserve Removal No. 75.

Prioritization - Community Development Block Grant Funds

The request for approval of the prioritization and funding distribution of the 1989-90 Community Development Block Grant project proposals was continued to April 18, 1989, at 7:00 P.M. in order to advertise and hold a public hearing.

County General Plan

Staff reviewed the proposed County General Plan and City's concerns. Councilmember Cunningham moved to provide staff and Council attendance at the San Bernardino County Board of Supervisors General Plan hearings on April 10 and 25 and express as firmly as possible our concerns about its application of Improvement Level 1 to Sphere of Influence areas and mineral resource action MR-1e and MR-3a; to seek out other cities with the same concerns to approach the Board of Supervisors jointly; and explore all avenues available such as lodging a formal complaint with the State asserting that the County has not had enough time to effectively comply with Government Code Section 65351 to provide opportunity for public input. Motion seconded by Councilmember Larson and carried unanimously.

Development Agreements Procedures

Ordinance
No. 2073

Ordinance No. 2073, an ordinance of the City Council of the City of Redlands adding Chapter 18.22 to the Redlands Municipal Code establishing rules and regulations pertaining to development agreements, was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2073 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for April 18, 1989, on motion of Councilmember Wormser, seconded by Councilmember Cunningham. A resolution will be presented at the next meeting to implement this ordinance. Staff was directed to include in this resolution the directive that costs associated with annual reviews shall be paid for by the developer.

Tract No. 13947 - H & S Capital Enterprises II - Final Approval

On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Council unanimously granted final approval to Tract No. 13947, a subdivision dividing 18.75 acres located at the northeast corner of Devonshire Drive and Reservoir Road into 35 lots, R-E Zone, as all requirements have been complied with as contained in Council minutes dated December 6, 1988.

Tentative Tract No. 10179 - Brookshire/Heaverin - Time Extension

On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, Council unanimously granted a one-year extension to March 17, 1990, for Tentative Tract No. 10179, a subdivision of 10.1 acres of land into 36 lots located on the north side of Pioneer Avenue, 211 feet east of Glover Street, R-1 Zone.

COMMUNICATIONS

Senior Center

Community Services Director Rodriguez reminded Council that the City, the San Bernardino County Community Block Grant Division, and various senior citizens have been actively seeking a site for a multi-purpose senior center in Redlands since October 1988. He reviewed what has been accomplished since that time and reviewed the five proposed sites in detail. Costs associated with each site were discussed with City Engineer Mutter. Councilmember DeMirjyn moved to continue this matter to April 18, 1989, for further study. Motion seconded by Councilmember Cunningham and carried unanimously.

Mural Program

The Art in Public Places Mural Program was developed by the Cultural Arts Commission and the Redlands Art Association in order to provide an opportunity for community participation in the arts and to help fund fine arts programs in schools throughout Redlands. This program will involve the painting of one mural each year using a professional artist and community volunteers. Mural costs will be underwritten by available grants and donations. Art Squad memberships will be \$30.00 and entitle the members to help paint and sign murals. Councilmember Wormser moved to approve the Art in Public Places Mural Program as recommended by the Cultural Arts Commission. Motion seconded by Councilmember DeMirjyn and carried unanimously.

- Arts Facilities Network Margie Armantrout explained the Art Facilities Network which has been reviewed by several City Commissions, staff, and individual Councilmembers. Their actions are based on the recommendations contained in the Redlands 2000 report. Ms. Armantrout asked Council for their input, enthusiasm, and support.
- Sanitation Survey City Manager John Holmes reported the Sanitation Survey has been drafted and asked Councilmembers to communicate their thoughts with him. It was decided the survey would be included in the City newsletter which is to be mailed to each household at the end of April.
- Audit Finance Director Kaenel reported he had received four proposals for our annual audit. Councilmembers Cunningham and Larson agreed to serve on a committee to review these proposals and submit a recommendation to the City Council.
- Parks Use During the past two months a committee has been meeting to discuss several issues regarding usage of the two City-owned outdoor theatres - Redlands Bowl and the Avice Meeker Sewall Theatre in Prospect Park. The topics of discussion varied and included such items as noise levels, parking, vending trucks, complaints and the application process. Following discussion, Councilmember Wormser moved to approve the proposed program modifications for use of the Redlands Bowl and the Avice Meeker Sewall Theatre and directed the City Attorney to review and propose modifications of the Redlands Municipal Code, Chapter 12.44, Parks. Motion seconded by Councilmember Larson and carried unanimously. Council directed the committee to address the closure of the Redlands Mall underground parking lot on Bowl nights at their next meeting.
- Council recessed at 4:55 P.M. to a Redevelopment Agency meeting reconvened at 4:56 P.M. to a closed session for the purpose of discussing personnel matters, the sale of City property, and pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the pending litigation portion of the closed session. Council reconvened at 7:00 P.M.
- Proclamation Mayor Beswick presented a proclamation designating the week of April 30 through May 7, 1989, as Days of Remembrance of the Victims of the Holocaust in memory of the victims of the Holocaust and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance and resistance. The official observance will be held on May 7, 1989, at 7:00 P.M. at the Orton Center on the University of Redlands campus.

PUBLIC HEARINGS

- Ordinance No. 2067 Public hearing was continued to this time and place for Ordinance No. 2067, a change of zone from A-1 (Agriculture) District to R-1 (Single-Family Residential) District for 4.28 acres of land located on the southeast corner of San Bernardino Avenue and Texas Street. Staff reported this proposed land use district is appropriate for the area, because the abutting lots on the east and south are zoned R-1. However, the decision here hinges on an interpretation of whether the application meets the required findings of Measure N, specifically Section 10. Section 10 allows a density greater than R-E (14,000 square foot lots) if four-fifths of the City Council agree that four specific findings exist. Staff did not believe that two findings were proper. However, the Planning Commission agreed with the applicant's representative, Pat Meyer and recommended approval. One reason this matter was continued was to allow the Council the benefit of the general information presented at a Transfer of Development Rights seminar held on March 27, 1989. The future of TDR's in Redlands is still uncertain at this time. A second issue concerned the number of parcels in the City that are similarly situated. Staff identified these properties to give the City Council an idea about the extent of the precedent that might be established.
- Zone Change No. 324 Mayor Beswick declared the meeting open as a public hearing for further comments concerning this zone change. On behalf of the applicant, J. J. Ramirez, Pat Meyer again explained they felt that all four findings, as required by Section 10 of Measure N, could be made for this unique piece of property. On behalf of the Redlands Association, Tex Moore noted this was the first request for exception under Section 10 of Measure N and his association agrees with staff's findings. In response to Council's questions, he stated the Redlands Association members tried to be reasonable and included Section 10 in their initiative although they did not have any parcel of land in mind when this section was prepared. There being no further comments, the public hearing was closed. Following discussion, it was apparent that this request for a change of zone would not receive the required four-fifths affirmative vote for approval. The applicant indicated he would appreciate a continuance of this matter to allow him time to decide if he would be willing to accept R-E zoning for this parcel. Councilmember Wormser then moved to continue this matter to April 18, 1989. Motion seconded by Councilmember Larson and carried unanimously.

Resolution No. 4478
Historic Resource
Public hearing was continued to this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the house located at 818 East Colton Avenue as a historic property. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember Larson moved to adopt Resolution No. 4478, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Wormser and carried unanimously.

BIDS

Contract Award
Water Main
Bids were opened and publicly declared on March 21, 1989, by the City Clerk for the construction of the Dearborn to Texas water transmission main (Project No. 3-8939); a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is Kershaw Construction of Montclair in the amount of \$1,473,346.50 and it is in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, this recommendation was unanimously approved.

Contract Award
Hog Canyon Well
Bids were opened and publicly declared on March 27, 1989, by the City Clerk for the construction of the Hog Canyon replacement well; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is McCalla Brothers in the amount of \$155,020.00 and it is in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Cunningham, seconded by Councilmember Wormser, this recommendation was unanimously approved.

UNFINISHED BUSINESS

Resolution No. 4502
Mining Operations
Councilmember Cunningham announced that after untold hours spent by members of the Joint Citizens/Council Committee, a compromise has been met. A memorandum of understanding, dated April 3, 1989, was presented at this meeting setting out the agreement reached between Tri-City Aggregates, Inc. and the committee. Mayor Beswick thanked everyone involved in this matter for all their work and time devoted to working out a joint agreement. Councilmember Cunningham moved to adopt Resolution No. 4502, a resolution of the City Council of the City of Redlands recommending initial approval for the Tri-City Aggregates, Inc. application being considered before the County of San Bernardino Board of Supervisors, which included the following; that mining operations be permitted with certain restrictions; that a processing plant not be permitted within the Webster Quarry; that interim use of the plant in Plunge Creek and alternative processing plant be pursued west of Tennessee Street; and that off-street haul roads be pursued for transporting materials from the mining areas to the processing plant. Motion seconded by Councilmember DeMirjyn and carried unanimously.

Mining Permits
Community Development Director Shaw reported that applications from C. L. Pharris have been received by the County of San Bernardino for a reclamation plan for the Alabama site mining operation, expansion of the use of the Orange Street processing plant, and expansion of the mining operations east of Orange Street. These requests need to be processed expeditiously within the time frames established by State law although the jurisdictional aspect of the request will require considerable coordination between the three governmental agencies involved. The County has indicated they have already determined an Environmental Impact Report would be required for the project although the areas requiring analysis have not been fully determined.

Discussions with County staff have led to the following proposal for a coordinated effort in the processing of these requests:

1. The County shall process all permits as the entire project is interrelated; however, review analysis, comment, conditions and approval shall remain within the jurisdiction that the particular project is located.
2. The County will be the primary staff entity processing the EIR although both cities will intimately be involved with determination of issues and impacts, consultation selection, analysis of adequacy of environmental documents, and each jurisdiction shall have final determination as to the adequacy of the EIR.
3. Each jurisdiction shall receive appropriate fees for processing applications. For Redlands this would be for our staff costs associated with the Environmental Impact Report and the Alabama site reclamation plan. It is recommended that costs be billed on a straight hourly rate with an initial deposit of \$2,500.
4. Final approval of the reclamation plan would be determined by the County although the Cities of Redlands and Highland would also need to approve all aspects of the plan by resolution prior to the County taking its final action.

Ordinance No. 2070	Municipal Utilities Director Corneille briefly explained some changes that needed to be made within Ordinance No. 2070, which was introduced at the last Council meeting. Ordinance No. 2070, an ordinance of the City of Redlands amending Chapter 13.52, pretreatment and regulation of wastes, of the City of Redlands Municipal Code and rescinding Ordinance No. 1810, was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 2070, as amended, was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for April 18, 1989, on motion of Councilmember Cunningham, seconded by Councilmember DeMirjyn.
Waste Treatment	
Rossmont Traffic Study	City Engineer Ron Mutter reminded Council they were asked to consider authorizing a study of the traffic on and near Rossmont Drive as related to development in the area. The study should consider a possible alternate roadway alignment to reduce traffic volumes on Rossmont Drive. On January 17, 1989, the City Council authorized staff to request proposals from consulting engineers for this study. At this time, it is recommended that Council appropriate \$75,000.00 from the General Fund for engineering services for the Rossmont Drive Traffic Study and direct staff to proceed with consultant selection process. This request is consistent with Goal No. 23 and 25 of the Redlands 2000 Report regarding the construction of traffic mitigation measures prior to the start of any large development and to promote the smooth flow of traffic throughout the City. Finance Director Kaenel recommended that this be considered for the 1989-90 budget. City Engineer Mutter indicated that some of this cost would be carried over into next year's budget. Council suggested staff look for \$10,000-\$12,000 in the existing budget and include the balance in next year's budget. Tex Moore, a resident on Rossmont Drive, commended the Engineering staff for their excellent work on this project. No further action was taken at this time.
NEW BUSINESS	
Claim	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, the claim of Roger Seasholtz in the amount of \$100.00 was found not to be a proper charge against the City and therefore was unanimously rejected.
Resolution No. 4489	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4489, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and setting speed limits for Garden Street between Cajon Street and Mariposa Drive, was unanimously adopted.
Speed Zone	
Resolution No. 4490	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4490, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and setting speed limits for Mariposa Drive between Country Club and Canyon Drives, was unanimously adopted.
Speed Zone	
Resolution No. 4491	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4491, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and setting speed limits for Pacific Street between Carob and Ridge Streets, was unanimously adopted.
Speed Zone	
Resolution No. 4492	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4492, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and setting speed limits for San Mateo Street between Brookside and Highland Avenues, was unanimously adopted.
Speed Zone	
Resolution No. 4493	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4493, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and setting speed limits for Sunnyside Avenue between Fern Avenue and Smiley Heights Drive, was unanimously adopted.
Speed Zone	
Resolution No. 4494	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4494, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and setting speed limits for the public and private school zones, was unanimously adopted.
Speed Zone	
Appointment B.I.D.	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Tom Payne of Wells Fargo Bank was unanimously appointed to a term on the B.I.D. Advisory Board which will expire December 31, 1992.
Resolution No. 4442	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4442, a resolution of the City Council of the City of Redlands approving the submission of a proposal under the California Beverage Container Recycling and Litter Reduction Act, was unanimously approved.
Grant Application	
Resolution No. 4496	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4496, a resolution of the City Council of the City of Redlands establishing franchise grantee towing and storage garage rates of charge and operating procedures effective within the City of Redlands and rescinding Resolutions Nos. 4019 and 4121, was unanimously adopted.
Tow Charges	

- Resolution No. 4497 On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4497, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, instituting proceedings, appointing an engineer of work, ordering the preparation of a district map indicating the proposed boundaries of an annexation to Landscape District No. 1 and providing for other engineering services in the matter of the annexation to Landscape Maintenance District No. 1 (Reservoir Road frontage for Tract 13947), was unanimously adopted.
- Landscape District
- Resolution No. 4498 On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4498, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of Engineer's Report for Annexation No. 2 to Landscape Maintenance District No. 1, was unanimously adopted.
- Landscape District
- Resolution No. 4499 On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4499, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to order the annexation to Landscape Maintenance District No. 1, an assessment district; declaring the work to be of more than local or ordinary public benefit; specifying the exterior boundaries of the area to be annexed to Landscape Maintenance District No. 1 and to be assessed the cost and expense thereof; designating said annexation as Annexation No. 2 to Landscape Maintenance District No. 1; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1971; and offering a time and place for hearing (April 18, 1989) objections thereto, was unanimously adopted.
- Landscape District
- Resolution No. 4501 On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4501, a resolution of the City Council of the City of Redlands determining the amount of property tax revenues to be exchanged between and among the County of San Bernardino and the City of Redlands resulting from the jurisdictional change described by LAFCO No. 2536, Annexation No. 67, was unanimously adopted.
- Annexation No. 67
- B Contract On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Council unanimously approved the name change on a B Contract Water Agreement from H. Reese Cockrum and Betty S. Cockrum to William E. Stauffer, Jr.
- Contract Amendment On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Council unanimously approved the Camp, Dresser and McKee Engineering Agreement Contract Amendment No. 5 for construction engineering and inspection services for the Dearborn to Texas Water Transmission Main.
- Contract Amendment On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Council unanimously approved the Richard Slade Consulting Agreement Contract Amendment No. 1 for the revised design and bidding services for three wells and construction-related consulting services for the Hog Canyon replacement well.
- Trail Agreement On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Council unanimously approved the revised construction and maintenance agreement between the City of Redlands and the San Bernardino Flood Control District for a multi-purpose trail system along the Zanja Creek.
- Street Lights Several citizens called City Hall today expressing their concerns about the removal of street light fixtures in their neighborhoods. In accordance with Government Code Section 54954.2(b)(2), Councilmember Wormser moved to hear a report on this matter which arose subsequent to the agenda being posted as specified in the Government Code. Motion seconded by Councilmember Cunningham and carried unanimously. City Engineer Mutter explained that a recent inspection found 18 poles at several different locations that were cracked and in a hazardous condition. He ordered their removal for safety reasons as he determined they created an immediate danger. He reported he did not have funds in his current budget to replace these poles. Council requested he return to the next meeting with further information about the cost of replacement of these poles.

There being no further business, the meeting adjourned at 8:13 P.M.

Next regular meeting, April 18, 1989.

ATTEST:


Mayor of the City of Redlands


City Clerk

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